

# NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL

Atty. Docket No.: 20563/1024B

## CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, **Express Mail Label No. EL928104169US** on this date, **March 12, 2004**, postage prepaid, in an envelope addressed to Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

David J. Dykeman

Name of Person Mailing Paper

*David J. Dykeman*

Signature of Person Mailing Paper

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### Enclosed herewith is a new patent application of:

First Named Inventor (or application identifier): Rabiner et al.

Title of Invention: Apparatus and Method for an Ultrasonic Probe Used with a Pharmacological Agent

Type: ☐ New  
☒ Continuation of: 10/396,914  
☐ Continuation-in-Part of:  
☐ Divisional of:  
 which is hereby incorporated by reference in its entirety into the application filed herewith;

### and includes the following papers:

1. ☒ Specification 38 pages (including specification, claims, abstract)/43 claims (4 independent)
2. ☒ Declaration/Power of Attorney is:  
☐ Executed ☐ Unexecuted ☒ Executed copy from Parent Application  
☐ NOT included, but deferred under 37 C.F.R. § 1.53(f).
3. ☒ 6 Distinct sheets of ☒ Formal ☐ Informal Drawings
4. ☒ Application Data Sheet
5. ☐ Preliminary Amendment.
6. ☐ Information Disclosure Statement  
☐ Form 1449 ☐ A copy of each cited prior art reference (as necessary)
7. ☐ Assignment with Recordation Cover Sheet.
8. ☒ Priority is hereby claimed under 35 U.S.C. § 119 based upon the following application(s):

| Country | Application Number | Date of Filing (day, month, year) |
|---------|--------------------|-----------------------------------|
| USA     | 60/178,901         | January 28, 2000                  |
| USA     | 60/157,824         | October 5, 1999                   |

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9. ☒ Priority is hereby claimed under 35 U.S.C. § 120 based upon the following application(s):

| Application Number | Date of Filing (day, month, year) |
|--------------------|-----------------------------------|
| 10/396,914         | March 25, 2003                    |
| 10/373,134         | February 24, 2003                 |
| 09/784,619         | February 15, 2001                 |
| 09/618,352         | July 19, 2000                     |

10. ☐ Priority is hereby claimed under 35 U.S.C. § 121 based upon the following application(s):

| Application Number | Date of Filing (day, month, year) |
|--------------------|-----------------------------------|
|                    |                                   |

The above applications from which priority is claimed are hereby incorporated in their entirety into the application filed herewith.

11. ☐ Priority document(s).
12. ☐ Microfiche Computer Program (Appendix).
13. ☐ Nucleotide and/or Amino Acid Sequence Submission.  
☐ Computer Readable Copy.  
☐ Paper Copy (identical to computer copy).  
☐ Statement verifying identity of above copies.
14. ☐ Request for Non-Publication and Certification under 35 USC 122 (b)(2)(B)(i)
15. ☒ Statement of Small Entity Status, Pursuant to 37 C.F.R. § 1.27.

16. Calculation of Fees:

| FEES FOR   | TOTAL CLAIMS | EXCESS CLAIMS    | FEE      | AMOUNT DUE    |
|--|--------------|------------------|----------|---------------|
| Basic Filing Fee (37 C.F.R. § 1.16(a))                           |              |                  |          | \$770.00      |
| Total Claims in Excess of 20 (37 C.F.R. § 1.16(c))               | 43           | 23               | \$18.00  | 414.00        |
| Independent Claims in Excess of 3 (37 C.F.R. § 1.16(b))          | 4            | 1                | \$86.00  | 86.00         |
| Multiple Dependent Claims (37 C.F.R. § 1.16(d))                  | No           |                  | \$290.00 | 0.00          |
| Subtotal - Filing Fee Due  |              |                  |          | 1270.00       |
| Reduction by 50%, if Small Entity (37 C.F.R. §§ 1.9, 1.27, 1.28) |              | MULTIPLY BY 0.50 |          | 635.00        |
| <b>TOTAL FILING FEE DUE</b>                                      |              |                  |          | <b>635.00</b> |
| Assignment Recordation Fee (if applicable) (37 C.F.R. § 1.21(h)) | 0            |                  | \$40.00  | 0.00          |
| <b>GRAND TOTAL DUE</b>   |              |                  |          | <b>635.00</b> |

17. PAYMENT is:
- ☒ The Commissioner is hereby authorized to charge any fees to Deposit Account 16-0085, Ref. 20563/1024B.
- ☐ not included, but deferred under 37 C.F.R. § 1.53(f).

**NEW UNITED STATES UTILITY PATENT APPLICATION TRANSMITTAL**

**Atty. Docket No.: 20563/1024B**

18. All correspondence for the attached application should be directed to:

**Richard B. Smith**  
**Customer Number 29934**  
111 Huntington Avenue  
Boston, MA 02199-7613

19. Other: \_\_\_\_\_

Respectfully submitted,

Date: March 12, 2004

By: David Dykeman  
Name: David J. Dykeman  
Registration No.: 46,678



14042 U.S. PTO

Atty. Docket No.: 20563/1024B

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Rabiner et al.  
Serial No.: Not Yet Assigned  
Filed: March 12, 2004  
Entitled: Apparatus and Method for an Ultrasonic  
Probe Used With a Pharmacological Agent

**CERTIFICATE OF MAILING UNDER 37 CFR 1.10**

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David J. Dykeman

Name of Person Mailing Paper

Signature of Person Mailing Paper

**Mail Stop Patent Application**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**TRANSMITTAL LETTER**

Enclosed for filing in the above-identified patent application, please find the following documents:

1. New Patent Application Transmittal;
2. Patent Application, (38 pages);
3. Transmittal of Formal Drawings
4. Six (6) sheets of Formal drawings of Figs. 1-6;
5. Application Data Sheet;
6. Copy of the Declaration and Power of Attorney from Parent Application U.S. Serial No. 10/396,914; and
7. Return Post Card.

Pursuant to 37 C.F.R. § 1.27, Applicant claims small entity status.

The Commissioner for Patents is hereby authorized to charge any fees to Deposit Account No. 16-0085, Reference 20563/1024B. A duplicate of this transmittal letter is enclosed for this purpose.

Date: March 12, 2004

Respectfully submitted,

Name: David J. Dykeman  
Registration No.: 46,678  
Customer No.: 29934  
Palmer & Dodge LLP  
111 Huntington Avenue  
Boston, MA 02199-7613  
Tel: 617-239-0100

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

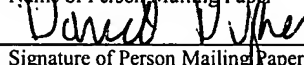
|  |                                  |
|--|----------------------------------|
| Application of: Rabiner et al.   | Examiner: Not Yet Assigned       |
| Serial No.: Not Yet Assigned   |                                  |
| Filed: March 12, 2004  | Group Art Unit: Not Yet Assigned |
| Entitled: Apparatus and Method for an<br>Ultrasonic Probe Used With a<br>Pharmacological Agent |                                  |
|  | Conf. No.: Not Yet Assigned      |

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David J. Dykeman

Name of Person Mailing Paper



Signature of Person Mailing Paper

**Mail Stop Patent Application**  
**Commissioner for Patents**  
**Attention: Official Draftsperson**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

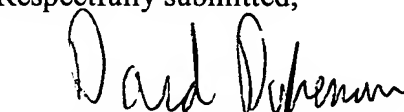
**TRANSMITTAL OF FORMAL DRAWINGS**

Enclosed please find formal drawings of Figures 1 – 6 on 6 separate sheets.

Acceptance of the formal drawings is respectfully requested.

Respectfully submitted,

Date: March 12, 2004



Name: David J. Dykeman

Registration No.: 46,678

Customer No.: 29934

Palmer &amp; Dodge LLP

111 Huntington Avenue

Boston, MA 02199-7613

Tel: 617-239-0100

05/20/03 No. 041172

PALMER & DODGE LLP

PALMER & DODGE LLP  
111 Huntington Avenue At Prudential Center  
Boston, MA 02199-7613

No. 041172 52-153  
112

Date 05/20/03

PAY \*\*EXACTLY\*\*\*\*\*65\* DOLLARS AND \*00\*CENTS

\$ 65.00

TO  
THE  
ORDER  
OF

COMMISSIONER FOR PATENTS

PALMER & DODGE LLP

Docket No. 20563/1025

AUTH. SIG.

*James D. Rabiner*

leet Bank  
leet Maine N.A.  
outh Portland, ME

041172 011201539 80 057 209

Serial No. 10/396,914 File No. 20563/1025 By: DD/DAS  
Applicant(s): Rabiner et al.  
Title: Apparatus & Method for an Ultrasonic Probe Used with a Pharmacological Agent  
The Following, DUE \_\_\_\_\_ in the USPTO, was received by the PTO Mail Room on the date stamped hereon:  

|   |  |
|---|--|
| <input type="checkbox"/> Cert. of Mailing by Express Mail (37 CFR 1.10)<br>Express Mail Label No. _____   | <input checked="" type="checkbox"/> Response to Notice to File Missing Parts (1 p)             |
| <input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a)  | <input type="checkbox"/> Copy of Part 2 of NFMP (1 p)  |
| <input checked="" type="checkbox"/> Patent Application (____ total pgs)<br><input type="checkbox"/> Provisional or <input type="checkbox"/> Non-Provisional | <input type="checkbox"/> Diskette Containing Nucleotide and/or<br>Amino Acid Sequence Listing  |
| <input type="checkbox"/> (____ pgs) Specification (____ pgs) Abstract,<br>(____ pgs) Claims (____ # claims)   | <input type="checkbox"/> Priority Document(s) # _____  |
| <input type="checkbox"/> New Patent Application Transmittal   | <input type="checkbox"/> Amendment/Response  |
| <input checked="" type="checkbox"/> Provisional Patent Application Cover Sheet  | <input type="checkbox"/> Petition for Extension of Time (x2)                                   |
| <input checked="" type="checkbox"/> Declaration and Power of Attorney (4 pgs)   | <input checked="" type="checkbox"/> Check in the amount of <u>65.00</u><br>Check # <u>4172</u> |
| <input type="checkbox"/> Application Data Sheet   | <input type="checkbox"/> Transmittal of Formal Drawings  |
| <input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____<br><input type="checkbox"/> Formal or <input type="checkbox"/> Informal                       | <input type="checkbox"/> Motion/Opposition/Reply   |
| <input type="checkbox"/> Assignment of _____  | <input type="checkbox"/> Request for Cont'd Examination (RCE)                                  |
| <input type="checkbox"/> Recordation Cover Sheet Form PTO-1595  | <input type="checkbox"/> Notice of Appeal  |
| <input type="checkbox"/> Information Disclosure Statement   | <input type="checkbox"/> Appeal Brief (x3)   |
| <input type="checkbox"/> Form PTO 1449 and Copies of Cited References   | <input type="checkbox"/> Issue Fee Transmittal   |
| <input type="checkbox"/> Other _____  | <input checked="" type="checkbox"/> Transmittal Letter (x2) (1 p)                              |

MAILED 5/20/03